

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WADE K. MARLER, DDS, *et al.*,

Plaintiffs,

v.

ASPEN AMERICAN INSURANCE
COMPANY,

Defendant.

No. 2:20-cv-00616-BJR

**STIPULATION AND ORDER
GRANTING PLAINTIFFS'
UNOPPOSED MOTION TO FILE A
SINGLE OMNIBUS REPLY IN
SUPPORT OF MOTION TO
CERTIFY QUESTIONS TO THE
WASHINGTON STATE SUPREME
COURT**

KARA MCCULLOCH DMD MSD PLLC, *et al.*,

Plaintiffs,

v.

VALLEY FORGE INSURANCE
COMPANY, *et al.*,

Defendants.

No. 2:20-cv-00809-BJR

CABALLERO,

Plaintiff,

v.

MASSACHUSETTS BAY INSURANCE
COMPANY,

Defendant.

No. 3:20-cv-05437-BJR

PLS.' UNOPPOSED MOTION TO FILE SINGLE OMNIBUS REPLY
IN SUPPORT OF MOTION TO CERTIFY
(Case Nos. 2:20-cv-00616-BJR; 2:20-cv-00809-BJR; 3:20-cv-05437-
BJR; 2:20-cv-00627-BJR; 2:20-cv-00620-BJR; 2:20-cv-00597-BJR;
2:20-cv-01176-BJR; 2:20-cv-00661-BJR; 2:21-cv-00050-BJR)- 1

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CHORAK, *et al.*,

Plaintiffs,

v.

HARTFORD CASUALTY INSURANCE
COMPANY, *et al.*,

Defendants.

No. 2:20-cv-00627-BJR

PACIFIC ENDODONTICS, P.S., *et al.*,

Plaintiffs,

v.

OHIO CASUALTY INSURANCE
COMPANY, *et al.*,

Defendants.

No. 2:20-cv-00620-BJR

NGUYEN, *et al.*,

Plaintiffs,

v.

TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA, *et al.*,

Defendants.

No. 2:20-cv-00597-BJR

PLS.' UNOPPOSED MOTION TO FILE SINGLE OMNIBUS REPLY
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LA COCINA DE OAXACA LLC,

Plaintiff,

v.

TRI-STATE INSURANCE COMPANY OF
MINNESOTA,

Defendant.

No. 2:20-cv-01176-BJR

MARK GERMACK DDS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

THE DENTISTS INSURANCE COMPANY,

Defendant.

No. 2:20-cv-00661-BJR

CADECEUS LLC d/b/a CAFE RACER,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

SCOTTSDALE INSURANCE COMPANY,

Defendant.

No. 2:21-cv-00050-BJR

PLS.' UNOPPOSED MOTION TO FILE SINGLE OMNIBUS REPLY
IN SUPPORT OF MOTION TO CERTIFY
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**PLAINTIFFS' UNOPPOSED MOTION TO FILE A SINGLE OMNIBUS REPLY IN
SUPPORT OF MOTION TO CERTIFY QUESTIONS TO THE WASHINGTON STATE
SUPREME COURT**

In order to increase efficiencies for the parties and the Court, Plaintiffs in the above-captioned matters respectfully move this Court to allow them to file a single omnibus reply brief of no more than 15 pages in response to Defendants' oppositions to Plaintiffs' Motion to Certify Questions to the Washington State Supreme Court (the "Opposition Motions"). Plaintiffs have conferred with counsel for Defendants and they do not oppose this request.

In support of this motion, Plaintiffs hereby state as follows:

1. On February 18, 2021, Plaintiffs filed their Motion to Certify Questions to the Washington State Supreme Court ("the Omnibus Motion") in the above-captioned *Marler, McCulloch, Caballero, Chorak, Pacific Endodontics, Nguyen, Germack, and La Cocina de Oaxaca* actions.

2. On March 10, 2021, Plaintiff Cadeceus LLC filed a substantively-identical Motion to Certify Questions to the Washington State Supreme Court (the "Cadeceus Motion") in the above-captioned matter.

3. On March 25, 2021, Defendants responded to the Omnibus Motion by filing a 30-page Omnibus Opposition. Plaintiffs' reply to this Omnibus Opposition is due April 8, 2021.

4. On March 31, 2021, Scottsdale Insurance Company responded to the Cadeceus Motion by filing a 5-page opposition, which, among other things, incorporated by reference the arguments and citations in the March 25, 2021 Omnibus Opposition. Plaintiffs' reply to Scottsdale's opposition is due by April 14, 2021.

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6. Plaintiffs will file their single omnibus reply to both oppositions by April 8, 2021.

7. Defendants do not oppose Plaintiffs' request to respond to their oppositions by April 8, 2021 with a single omnibus reply brief that is limited to 15 pages.

Now, therefore, Plaintiffs’ request, which Defendants do not oppose, to file an omnibus reply brief limited to 15 pages should be granted.

ORDER

IT IS SO ORDERED.

DATED this 5th day of April, 2021.

Barbara J. Rothstein

Barbara J. Rothstein
UNITED STATES DISTRICT JUDGE

Presented By:

DATED this 2nd day of April, 2021

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